

Docket No.: 464.1001

DECLARATION AND POWER OF ATTORNEY

#3

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

COLOR-ENCODING AND IN-SITU INTERROGATION OF MATRIX-COUPLED CHEMICAL COMPOUNDS

the specification of which (check one)

☐ is attached hereto☒ was filed on November 23, 1999 as Application Serial No. 09/448,420

and was amended on _____ (if applicable).

I hereby authorize and request our attorney, Davidson, Davidson & Kappel, LLC, of 1140 Avenue of the Americas, New York, New York 10036 to insert here in parentheses (Application number _____, filed _____) the filing date and application number of said application when known.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information which is known to me to be material to the patentability of this application as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign and/or provisional application(s) for patent or inventor's certificate listed below and have also identified below any foreign and/or provisional application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

PRIOR APPLICATION(S)

60/047,472
(Number)United States
(Country)23/5/1997
(Day/Month/Year Filed)Priority claimed
☒ Yes ☐ NoPCT/US98/10719
(Number)WO
(Country)22/5/1998
(Day/Month/Year Filed)☒ Yes ☐ No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial Number)

(Filing Date)

(Status) (patented, pending, abandoned)

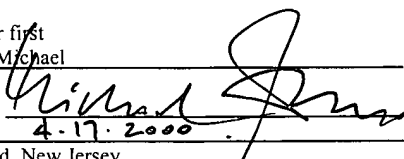
(Application Serial Number)

(Filing Date)

(Status) (patented, pending, abandoned)

And I hereby appoint Clifford M. Davidson, Registration No. 32,728, Leslye B. Davidson, Registration No. 38,854, Cary S. Kappel, Registration No. 36,561, William C. Gehris, Registration No. 38,156, Julie L. Bowker, Registration No. 37,870, Robert J. Paradiso, Registration No. 41,240, Scott L. Appelbaum, Registration No. 41,587, Cynthia R. Moore, Registration No. 46,086 and David Knasiak, Registration No. 45,991 my attorneys, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith; correspondence address: DAVIDSON, DAVIDSON & KAPPEL, LLC, 1140 Avenue of the Americas, 15th Floor, New York, New York 10036; Telephone: (212) 997-1028; Fax: (212) 997-1037.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first
Inventor SEUL, MichaelInventor's signature Date 4-17-2000Residence Fanwood, New JerseyCitizenship GermanyPost Office Address: 84 Pleasant Place
Fanwood, New Jersey 07023

Full name of joint

Inventor, if any EBRIGHT, Richard H.

Second Inventor's signature _____

Date _____

Residence North Brunswick, New JerseyCitizenship United StatesPost Office Address: 10 Rustic Drive
North Brunswick, New Jersey 08902

Full name of joint

Inventor, if any _____

Full name of joint

Inventor, if any _____

Third Inventor's signature _____

Date _____

Residence (city) _____, (state or country) _____

Citizenship _____

Post Office Address: _____

Fourth Inventor's signature _____

Date _____

Residence (city) _____, (state or country) _____

Citizenship _____

Post Office Address: _____

DECLARATION AND POWER OF ATTORNEY

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f) AND 1.27 (d)) - NONPROFIT ORGANIZATION**Docket No.
464.1001

Serial No.

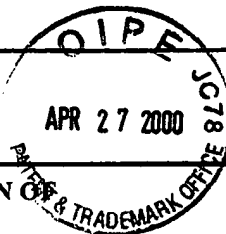
09/448,420

Filing Date

November 23, 1999

Patent No.

Issue Dat

Applicant/ Michael SEUL and Richard H. EBRIGHT
Patentee:Invention: COLOR-ENCODING AND IN-SITU INTERROGATION OF
MATRIX-COUPLED CHEMICAL COMPOUNDS

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION: Rutgers, The State University of New JerseyADDRESS OF ORGANIZATION: 58 Bevier Road, ASB, Annex II
Piscataway, New Jersey 08854-8010

TYPE OF NONPROFIT ORGANIZATION:

- ☒ University or other Institute of Higher Education
- ☐ Tax Exempt under Internal Revenue Service Code (26 U.S.C. 501(a) and 501(c)(3))
- ☐ Nonprofit Scientific or Educational under Statute of State of The United States of America
Name of State: Citation of Statute:
- ☐ Would Qualify as Tax Exempt under Internal Revenue Service Code (26 U.S.C. 501(a) and 501(c)(3)) if Located in The United States of America
- ☐ Would Qualify as Nonprofit Scientific or Educational under Statute of State of The United States of America if Located in The United States of America
Name of State: Citation of Statute:

I hereby declare that the above-identified nonprofit organization qualifies as a nonprofit organization as defined in 37 C.F.R. 1.9(e) for purposes of paying reduced fees to the United States Patent and Trademark Office regarding the invention described in:

- ☐ the specification to be filed herewith.
- ☒ the application identified above.
- ☐ the patent identified above.

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the above-identified nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed on the next page and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☐ no such person, concern or organization exists.
☒ each such person, concern or organization is listed below.

FULL NAME Bioarray Solutions, LLC

ADDRESS 120 Centennial Avenue, Piscataway, NJ 08854

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

FULL NAME _____

ADDRESS _____

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

FULL NAME _____

ADDRESS _____

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

FULL NAME _____

ADDRESS _____

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: William T. Adams, Director

TITLE IN ORGANIZATION: Rutgers, The State University of New Jersey

ADDRESS OF PERSON SIGNING: 58 Bevier Road, ASB, Annex II
Piscataway, New Jersey 08854-8010

SIGNATURE: 

DATE: 4/24/00